REMARKS

Claims 44-53 and 58 are pending in the present application. Claims 59-61 are cancelled, without prejudice or disclaimer. Claims 44, 52, and 58 are amended.

The Office Action rejected claims 44-53 and 58 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants have amended claims 44 and 58 to remove "relevance" and claim 52 to correct the antecedent basis for "task bar". Accordingly, the rejection of claims 44-53 and 58 under 35 U.S.C. §112, second paragraph is now moot and should be withdrawn.

The Office Action rejected claims 44-53 and 58 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,353,400 to Nigawara et al. ("Nigawara").

Applicants traverse the rejection of claims 44-53 and 58, because Nigawara does not teach each and every claim element.

Claim 44 recites "A method for automatic control of window viewing, comprising: determining a priority for each window of a set of windows that are arranged so that said windows overlap one another on a graphical user interface; and automatically re-arranging said windows so that said windows overlap one another in order of said priority on said graphical user interface." Thus, the claimed invention relates specifically to determining window priority when windows (e.g., windows in a typical Windows environment) are overlapped. Nigawara does not teach each and every element of claim 44; rather, Nigawara focuses on "masking" part of a display. (Nigawara, abstract).

In Nigawara, "masking" is defined as deletion, like putting a black piece of paper over parts of the display to eliminate them. (Nigawara, Fig. 22; col. 2, lines 46-53; col. 7,

lines 6, "information is masked and thereby excluded from the display of the screen"; col. 8 line 12, "user desires to exclude from the display"; col. 8, lines 28, "masking is performed to exclude"). Nigawara discusses prior art with multiple windows, but they are "overridden" or "replaced", not overlapping. (Nigawara, col. 8, lines 52-55; line 64 "delete one screen and replace it by another screen"; col. 10, lines 63-66, "masking part of a screen, to display only the desired information"). Indeed, overlapping windows may not be useful in the control system for an industrial plant described in Nigawara, where the display is chaotic and users are constantly moving things around. However, overlapping windows are frequently used on Windows desktops. As a result, no concept of overlapping windows is disclosed in Nigawara.

In the claimed invention, overlapping refers to windows wholly or partially excluding one another, as might happen when you toss a deck of cards randomly on a table, each card a metaphor for a window with some overlapping of area. Higher priority cards are moved so they are nearer to the viewer's eye. This partial overlapping is useful when the user performs coloration, because the user sees some of the color of windows that are on top of each other in random ways.

Claim 45 recites, *inter alia*, "automatically sizing said windows on said graphical user interface according to said priority." Nigawara does not disclose any such automatic sizing of a window. The Office Action incorrectly cited "Magnification: important data may be emphasized by making it appear larger on the display, although the display may be changed in size." (Nigawara, col. 3, lines 15-17). It is unclear, but the size was likely changed by the user and only one "display" is disclosed.

Claim 46 recites, *inter alia*, "automatically positioning said windows on said graphical user interface according to said priority." Nigawara discloses enlarging information on a display that is in a single window. (Nigawara, col. 7, lines 23-25). Positioning windows and enlarging information in a window are not the same thing.

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Claim 47 recites, *inter alia*, "wherein said windows are automatically re-arranged only when a redrawing function is selected by a user." Again, Nigawara discloses presenting information in a single "prepared display" in various ways on a "display means", which is not the same as re-arranging windows. (Nigawara, col. 3, lines 18-41).

Claim 48 recites, *inter alia*, "storing said first opened time, said last opened time, said contents, said percent visibility, said scrolling amount, and said access amount for each window." Nigawara discloses "priority processing requests" made by an operator that determine the order of information on the single display. (Nigawara, col. 5, lines 33-67). That is completely different from the claimed invention.

Claim 50 recites, *inter alia*, "wherein contents of said window is determined by latent semantic indexing." As known in the art, latent semantic indexing (LSI) is an information retrieval method that organizes information into a semantic structure that takes advantage of some of the implicit higher-order associations of words with text objects. Nothing of this sort is disclosed in Nigawara. Notification to the user that a screen is being displayed automatically is not the same. (Nigawara, col. 5, lines 46-67).

Claim 51 recites, *inter alia*, "wherein contents of said window is determined by a content label assigned by a user." Nigawara discloses modification types, such as deletion, change of intensity, etc. (Nigawara, col. 2, line 39 to col. 3 lines 41). This is not the same as a content label assigned to a window.

Claim 52 recites, *inter alia*, "automatically re-arranging icons so that said icons overlap one another in order of said priority in a task bar on said graphical user interface." In Nigawara, figure 10 shows graphically a plant being a piping system, in which various processes are displayed and figure 11 shows the result of a masking operation carried out on the information in figure 10. (Nigawara, figs. 10 and 11). Nigawara does not disclose any such icons in a task bar, such as that in a Windows environment.

Claim 53 recites "The method according to claim 44, further comprising: automatically arranging icons so that said icons overlap one another in order of said priority on a desktop on said graphical user interface." Nigawara discusses prior art with multiple windows, but they are "overridden" or "replaced", not overlapping as in base claim 44. (Nigawara, col. 8, lines 47-67).

Claim 58 recites "The method according to claim 44, wherein said priority is based on criteria selected from the group consisting of: each of a set of windows based on a first opened time for said window, a last opened time for said window, a current time, contents of said window, a percent visibility of said window, a scrolling amount for said window, and an access amount for said window." In Nigawara, "[i]nformation is displayed in a priority order", not windows as in base claim 44. (Nigawara, col. 10, lines 44-67). Moreover, Nigawara neither describes nor discloses any of the priority criteria set forth in claim 58.
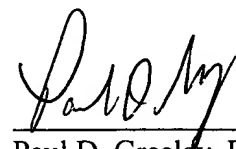
Furthermore, dependent claims 45-53 and 58 depend from independent claim 44, directly or indirectly, and, thus, inherit the patentable subject matter of claim 44. Therefore, claims 45-53 and 58 are patentable over Nigawara.

In view of the foregoing, Applicant respectfully submits that all of the claims in the present application are patentably distinguishable over the reference cited in the Office Action. Accordingly, Applicant respectfully requests reconsideration and that the claims be passed to allowance.

Respectfully submitted,

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Date   Paul D. Greeley, Esq.

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Reg. No. 31019
Attorney for the Applicant
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
Tel: 203-327-4500
Fax: 203-327-6401